

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (currently amended): A compound semiconductor epitaxial substrate comprising a substrate, and a sub-collector layer, a collector layer, a base layer, an emitter layer and a contact layer(s) formed in this order on said substrate,

wherein said compound semiconductor epitaxial substrate having has an oxygen-containing layer between said substrate and said sub-collector layer, and said oxygen-containing layer has an oxygen concentration of  $1 \times 10^{16} \text{ cm}^{-3}$  or more and  $1 \times 10^{21} \text{ cm}^{-3}$  or less.

2. (currently amended): The compound semiconductor epitaxial substrate according to Claim 1A compound semiconductor epitaxial substrate comprising a substrate, and a sub-collector layer, a collector layer, a base layer, an emitter layer and a contact layer(s) formed in this order on said substrate,

wherein said compound semiconductor epitaxial substrate has an oxygen-containing layer between said substrate and said sub-collector layer and, wherein said oxygen-containing layer is an  $\text{Al}_x\text{Ga}_{1-x}\text{As}$  ( $0 \leq x \leq 1$ ) layer.

3. (original): The compound semiconductor epitaxial substrate according to Claim 2, wherein said oxygen-containing layer has an oxygen concentration of  $1 \times 10^{16} \text{ cm}^{-3}$  or more.

4. (original): The compound semiconductor epitaxial substrate according to Claim 2, wherein said oxygen-containing layer has an oxygen concentration of  $1 \times 10^{16} \text{ cm}^{-3}$  or more and  $1 \times 10^{21} \text{ cm}^{-3}$  or less.